



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

Hon. Sylvia O. Hinds-Radix
Corporation Counsel

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October 16, 2023

By ECF

Honorable Denny Chin
U.S. Court of Appeals for the Second Circuit
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

Re: Pitre v. City of New York, et al.,
18-CV-5950 (DC)

Your Honor:

I am an Assistant Corporation Counsel in the office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for Defendants in the above-referenced action. I write on behalf of all parties and per the Court's October 11, 2023 order to inform the Court on the parties' stipulated facts and exhibits.

Stipulated Facts:

1. Plaintiff Edward Pitre was employed by Defendant City of New York at the New York Fire Department ("FDNY") as a Communications Electrician from October 2000 to March 2016.
2. John Fiorentino was employed by FDNY from December 1977 to January 2021.
3. Defendant Joseph Mastropietro was employed by FDNY from January 1997 to June 2020.
4. Defendant Jan Borodo is currently employed by FDNY and began working there in November 2006.

Stipulated Exhibits

Exhibit #	Bates Stamp	Description	P Exhibit	D Exhibit	Comments
	P000002-000004	P000002, September 1, 2015 Email from Jan Borodo to Miguel Correa P000004 August 3, 2015 Letter	1 ¹	M	Consent
	P000005-000007	P000005-000007 January 5, 2016 Email	1	N	Consent
	P000008	P000008 February 10, 2015 email from Miguel Correa to Edward Pitre	1	O	Consent
	P000020-P000022	P000020-P000022 April 15, 2015 Email from Miguel Correa to Jan Borodo	1	P	Consent
	P000079	P000079 September 2, 2015 email from Jan Borodo to Miguel Correa	1	Q	Consent
	P000024	P000024 March 23, 2015 Email 1 from Edward Pitre to Maryann Murray	1	R	Consent
	P000025-P000026	P000025-P000026 March 23, 2015 Email 2 from Edward Pitre to Maryann Murray	1	S	Consent
	P000027-P000029	P000027-P000029 March 23, 2015 Email 3 from Edward Pitre to Maryann Murray	1	T	Consent
	P000030	P000030 March 30, 2015 Email from Edward Pitre to Maryann Murray	1	U	Consent
	P000032	P000032 June 9, 2015 Letter 1 from University Orthopedics	1	V	Consent

¹ Plaintiff listed P00001-P000099 as Exhibit 1. Defendant consents to certain pages coming in but not the entire exhibit. The specific bates stamp numbers are listed as to which pages are agreed upon for all exhibits with respect to Exhibit 1.

	P000033	P000033 June 9, 2015 Letter 2 From University Orthopedics	1	W	Consent
	P000034	P000034 March 27, 2015 Letter from Daniel Caligiuri	1	X	Consent
	P000054-P000055	P54-P55 Civil Service Law Section 71 Notice	1	Z	Consent
	P000066-P000058	Letter re: Supervisor's conference dated August 12, 2015	1		Consent
	P000079	P000079 September 2, 2015 email from Jan Borodo to Miguel Correa	1	Q	Consent
	P000094	P000094 August 31, 2015 Letter from University Orthopedics	1	Y	Consent
	P000095	P95 Request for Transfer	1	AA	Consent
	DEF00099	DEF_00099 Plaintiff's NYCERS retirement letter	7		Consent
		DEF_000199-202 commuter vehicle writeup	10	J	Consent
		Deposition transcript of Defendant John Fiorentino	13		Consents to only certain portions as specified in Section "h" of the JPTO
	DEF388-DEF425	DEF388-DEF425 FDNY Time and Leave Manual		A	Consent
	DEF251-DEF337	DEF251-DEF337 Plaintiff's Pay History Report		B	Consent
	DEF426-DEF513	DEF426-DEF513 Civilian Code of Conduct		C	Consent
	DEF1-DEF3	DEF1-DEF3 Communication Electrician Duties and Responsibilities		E	Consent
	DEF196			G	Consent

		DEF196 March 13, 2015 Letter			
	DEF197	DEF197 January 24, 2013 Letter		H	Consent
	DEF198	DEF198 February 27, 2013 Letter		I	Consent
	DEF199-200	DEF199-200 November 5, 2014 Letter		J	Consent
	DEF201-DEF202	DEF201-DEF202 November 14, 2014 Letter		K	Consent
	DEF203-208	DEF203-208 May 27, 2015 Letter		L	Consent
	DEF0522	DEF0522 Organizational Structure		BB	Consent
	DEF209	DEF209 Plaintiff's Disability retirement Letter		CC	Consent

We thank the Court for its attention in this matter.

/s/ Lauren F. Silver
Lauren F. Silver
Assistant Corporation Counsel

cc: Seamus P. Barrett, Esq. (By ECF)
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